

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

I, a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### **A METHOD OF DETERMINING DOWN-REGULATION OF THE EXPRESSION OF HIV CORECEPTOR, CCR5 WITH PRODUCT R**

the specification of which is attached hereto.

I hereby state that I reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I also acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.63(d), which occurred between the filing date of the prior application and the filing date of the continuation-in-part application, if this is a continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for the patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application:**

**Country:**

**Appln. No.:**

**Filed:**

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MYRON COHEN, Reg. No. 17,358; THOMAS C. PONTANI, Reg. No. 29,763; LANCE J. LIEBERMAN, Reg. No. 28,437; MARTIN B. PAVANE, Reg. No. 28,337; MICHAEL C. STUART, Reg. No. 35,698; KLAUS P. STOFFEL, Reg. No. 31,668; EDWARD M. WEISZ, Reg. No. 37,257; CHI K. ENG, Reg. No. 38,870; JULIA S. KIM, Reg. No. 36,567; VINCENT M. FAZZARI, Reg. No. 26,879; ALFRED W. FROEBRICH, Reg. No. 38,887; ANDRES N. MADRID, Reg. No. 40,710; KENT H. CHENG, Reg. No. 33,849; GEORGE WANG, Reg. No. 41,419; JEFFREY M. NAVON, Reg. No. 32,711 and JOHN G. TUTUNJIAN, Reg. No. 39,405.

Address all telephone calls to Myron Cohen, Esq. at telephone No. (212) 687-2770.

Address all correspondence to:

Myron Cohen, Esq.  
Cohen, Pontani, Lieberman & Pavane  
551 Fifth Avenue, Suite 1210  
New York, New York 10176

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full Name of Sole or First Inventor:** Shalom Z. Hirschman

Inventor's signature: Shalom Z. Hirschman

Dated: April 5, 1999

Month/Day/Year

Residence: **Riverdale, New York**

Citizenship: **United States of America**

Post Office Address: **5240 Blackstone Ave.  
Riverdale, New York 10471**

**Full Name of Second Joint Inventor: Chaoyuan Chen**

**Inventor's signature:** Chaoyuan Chen

**Dated:** 5/3/99  
Month/Day/Year

**Residence:** Edison, New Jersey

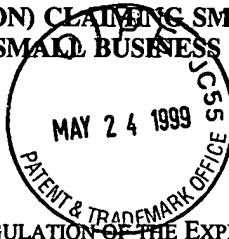
**Citizenship:** P.R. China

**Post Office Address:** 1 Pace Drive  
Edison, New Jersey 08820

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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) - SMALL BUSINESS CONCERN**

Applicant or Patentee: Shalom Z. Hirschman, Chaowuan Chen  
Attorney's Docket No.: 4493-36A  
Serial or Patent No.: 09/257,739  
Filed or Issued: Feb 25, 1999  
Title: A METHOD OF DETERMINING DOWN-REGULATION OF THE EXPRESSION OF HIV CORECEPTOR, CCR5 WITH PRODUCT R



I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: **Advanced Viral Research Corp.**

ADDRESS OF CONCERN: **1250 East Hallandale Beach Blvd., Hallandale, Florida, 33009**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern or organization listed below

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Shalom Z. Hirschman

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 5240 Blackstone Ave., Riverdale, New York 10471

SIGNATURE

Shalom Z. Hirschman

DATE

April 5, 1999